

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN DIVISION**

CHARLENE MARTINEZ, individually  
and on behalf of all others similarly  
situated,

*Plaintiff,*

*v.*

TD Bank USA, N.A., a National Bank,

*Defendant.*

Case No.:  
1:15-cv-07712-JBS-AMD

Chief Judge  
Jerome B. Simandle

Magistrate Judge  
Ann Marie Donio

Motion Day:  
December 7, 2015

**NOTICE OF MOTION**

**To: TD Bank USA, N.A.  
c/o Corporation Service Company  
830 Bear Tavern Road  
West Trenton, New Jersey 08628**

**PLEASE TAKE NOTICE** that on Monday, December 7, 2015, at 9:00 a.m., or as soon thereafter as counsel may be heard, Plaintiff Charlene Martinez, through her undersigned counsel, shall appear before the Honorable Judge Jerome B. Simandle, or any judge sitting in his stead, at the United States Courthouse for the District of New Jersey, Camden Division, located at the Mitchell H. Cohen Building and U.S. Courthouse, 4th and Cooper Streets, Camden, New Jersey 08101, and then and there move the Court for an order granting ***Plaintiff's Motion for Class Certification***, a copy of which is hereby served upon you.

Respectfully submitted,

**CHARLENE MARTINZ**, individually and on  
behalf of all others similarly situated,

Dated: October 29, 2015

By: s/ Stefan Coleman  
One of Plaintiff's Attorneys

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*\*Pro hac vice admission to be sought.*

Attorneys for Plaintiff and the Class.

**CERTIFICATE OF SERVICE**

I, Stefan Coleman, hereby certify that on October 29, 2015, I electronically filed the foregoing paper with the Clerk of the Court using the Court's CM/ECF electronic filing system, and have arranged for service of the same by process server at the address listed below:

**TD Bank USA, N.A.  
c/o Corporation Service Company  
830 Bear Tavern Road  
West Trenton, New Jersey 08628**

Dated: October 29, 2015

By: s/ Stefan Coleman  
One of Plaintiff's Attorneys